

response. Should the applicants not receive an allowance of the pending claims, the applicants request early notice of such so they may promptly file a Notice of Appeal.

As explained during the interview, none of the cited art, including Hunt et al., discloses or suggests a method of trading derivative financial instruments that selectively represent movies or movie talent. In some embodiments, for example, the present invention provides an exchange in financial instruments representing particular movies or actors. The applicants are unaware of, and the Examiner has not pointed out, any art that discloses or suggests such features.

Furthermore, financial instruments that represent movies or movie talent are different than traditionally traded instruments that represent, or whose value is based on, for example, a specified interest, such as an ownership interest, in a particular company or commodity. For example, such traditional instruments may be capable of being valued with reference to traditional financial indicators which may provide an indication of the value of the company or commodity underlying the instrument. Movies and movie talent, being different than traditional subjects of trading instruments, are not considered valued with reference to such traditional financial indicators.

As such, the pending claims are not obvious over Hunt et al., which discusses a system for listing and brokering commodities and derivatives relating to carrier capacity, such as cubic inches for shipment via truck, rail, etc., nor any other art of record. Particularly, the Examiner has not pointed out, and the applicants are unaware of, any prior art trading system which discloses or suggests a method for trading in derivative financial instruments that selectively represent movies or a movie talent, as set forth in the applicants independent claims 1, 10, and 19-22. For at least these reasons, claims 1, 10, and 19-22 are patentable over the cited art. Furthermore, claims 2-

9 and 11-18, which depend, either directly or indirectly, from claims 1 and 10, are also patentable over the cited references.

For all of the above reasons, the applicants respectfully request that the Examiner withdraw the rejection, and allowance of all the pending claims is respectfully solicited. To expedite prosecution of this application to allowance, the examiner is invited to call the applicants' undersigned representative at (212) 895-2040 to discuss any issues relating to this application.

Respectfully submitted,

Dated: May 28, 2003



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I hereby certify that the correspondence attached herewith is being transmitted by facsimile (703) 305-7687, to the Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450 on

May 28, 2003
Date of Facsimile



Seth H. Ostrow